Notice of Allowability	Application No.	Applicant(s)	
	09/992,285	WIERES, LUDWIG	
	Examiner	Art Unit	
	Jonas N. Strickland	1754	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *the communication filed on 12/23/03*.
2. ☒ The allowed claim(s) is/are *claims 1, 4, 6, 10, 13, 16, and 19*.
3. ☒ The drawings filed on *19 November 2001* are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☒ All b) ☐ Some* c) ☐ None of the:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
      3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
   (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      1) ☐ hereto or 2) ☐ to Paper No. ____.
   (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
   (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1☐ Notice of References Cited (PTO-892)
2☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. _____
4☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5☐ Notice of Informal Patent Application (PTO-152)
6☐ Interview Summary (PTO-413), Paper No._____ .
7☐ Examiner's Amendment/Comment
8☒ Examiner's Statement of Reasons for Allowance
9☐ Other .

Allowable Subject Matter

1. Claims 1, 4, 6, 10, 13, 16, and 19 are allowed.

2. The following is an examiner's statement of reasons for allowance: The instant application is in condition for allowance, because the cited prior art fails to disclose a honeycomb carrier body comprising a layered or wound sheet-metal layer at least partially structured to form passages through which exhaust gas can flow, said sheet-metal layers formed of a stainless steel, having a thickness of more than 0.08 mm and having an aluminum content in percent by weight of between 6 and 12% multiplied by 0.02 mm divided by said thickness of said sheet-metal layers.

Sheller discloses metal monolith converter used in the exhaust lines of motorcycles, as well as the internal combustion engine of automobile vehicles (col. 1, lines 8-27). The metal layers are comprised of stainless steel, comprised of 16% chromium, 4.5% aluminum, and one or more of rare earth metals (col. 2, lines 47-67). The stainless steel has a thickness of 0.22 mm and has a passage of between 50 cpsi to 800 cpsi (col. 4, lines 36-51). However, Sheller does not disclose having aluminum content in percent by weight of between 6 and 12%, as well as the weight percentage of the rare earth metal. Furthermore, Sheller does not disclose wherein honeycomb bodies are used for the honeycomb bodies for the cleaning of exhaust gas of a diesel engine in a diesel vehicle.

Aggen et al. teaches a hot workable stainless steel alloy, which consists of 8.0-25% of chromium, 3.0-8.0% by weight of aluminum, and up to 0.05% by weight of a rare earth metal, such as cerium, and lanthanum (col. 3, lines 14-30). Aggen et al. continues

to teach wherein such an alloy is useful in catalytic systems and converters for automobiles (col. 18, lines 32-44). Aggen et al. continues to teach wherein the metallic catalytic substrate can be fabricated into honeycomb configurations to provide greater surface area and lighter weight (col. 1, lines 36-43).

Ikegami et al. teaches a production process of stainless steel covered with aluminum metal oxides for metal catalyst supports in automobiles exhaust gas converters (see abstract). Ikegami et al. continues to teach wherein an aluminum layered foil is to be used for catalyst supports in automobile's exhaust gas converters, the total amount of aluminum has to be adjusted to 3 percent and above in the foil.

However, with respect to the instant invention, the amount of aluminum content having a thickness of 0.08 mm is a minimum of 1.5%, in which one skilled in the art would not lower the aluminum content as disclosed by Ikegami et al, which teaches wherein the aluminum content is greater than 3%. The cited prior art fails to disclose a production process in which the aluminum content is determined based on the thickness of the sheet metal layer.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonas N. Strickland whose telephone number is 571-272-1359. The examiner can normally be reached on M-TH, 7:30-5:00, off 1st Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stanley Silverman can be reached on 571-272-1358. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-1700.

Jonas N. Strickland
March 4, 2004

STANLEY S. SILVERMAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1700